



61P-16384  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant (s): Kitisri Sukhapinda et al.

Serial No. 09/358,321

Group Art Unit: 1638

Filed: July 21, 1999

Examiner: C. Collins

Attorney Docket No.: 50,447

For: ANTIBODY-MEDIATED DOWN-REGULATION OF PLANT PROTEINS

#13/p  
7/25/01

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231 on the date appearing below.	
Date <u>July 17, 2001</u>	By <u>Marcia R. Jansen</u> Marcia R. Jansen

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

RESPONSE

In response to the "NOTICE TO COMPLY WITH REQUIREMENT FOR PATENT APPLICATION CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES" dated March 23, 2001, a copy of which is attached, enclosed is a substitute computer readable form (CRF) copy of the "Sequence Listing", substitute paper copy of the "Sequence Listing" and statement verifying sequence submission.

Please amend the specification by replacing the "Sequence Listing" with the attached substitute "Sequence Listing", which includes no new matter.

Respectfully submitted,

Ronald S. Maciak  
Ronald S. Maciak  
Attorney for Applicants  
Registration No. 35,262  
Phone: (317) 337-4829

Dow AgroSciences LLC  
Patent Section  
9330 Zionsville Road  
Indianapolis, Indiana 46268-1054

Date: July 17, 2001



25212

PATENT TRADEMARK OFFICE



Application No.: 09/358321

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

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**Applicant Must Provide:**

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- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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Applicant (s): Kitisri Sukhapinda et al.

Serial No. 09/358,321

Group Art Unit: 1638

Filed: July 21, 1999

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Attorney Docket No.: 50,447

For: ANTIBODY-MEDIATED DOWN-REGULATION OF PLANT PROTEINS

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July 17, 2001  
Date

By Marcia R. Jansen  
Marcia R. Jansen

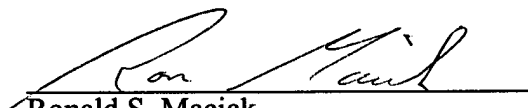
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

STATEMENT PURSUANT TO 37 CFR 1.821(f)  
VERIFYING SEQUENCE SUBMISSION

The Sequence Listing contained in the accompanying Computer Readable Copy and Description are the same.

Respectfully submitted,

  
Ronald S. Maciak  
Attorney for Applicants  
Registration No. 35,262  
Phone: (317) 337-4829

Dow AgroSciences LLC  
Patent Section  
9330 Zionsville Road  
Indianapolis, Indiana 46268-1054

Date: July 17, 2001



25212

PATENT TRADEMARK OFFICE

**FEE AUTHORIZATION LETTER**ATTORNEY'S DOCKET NO.  
50,447

SERIAL NO.	FILING DATE	EXAMINER	GROUP ART UNIT
09/358,321	July 21, 1999	C. Collins	1638

IN RE APPLICATION OF: Kitisri Sukhapinda et al.FOR: **ANTIBODY-MEDIATED DOWN-REGULATION OF PLANT PROTEINS**  
TO THE ASSISTANT COMMISSIONER FOR PATENTS:☒ Applicant(s) petition(s) for an extension of time under 37 CFR 1.136 to file the accompanying☐ Response within one month of original date due date (\$110.00)☐ Response within two months of original date due date (\$390.00)☒ Response within three months of original date due date (\$890.00)☐ Response within four months of original date due date (\$1,390.00)

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The accompanying papers include amended claims. The fee has been calculated as follows:

**CLAIMS AS AMENDED**

(1)	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) NO. OF EXTRA CLAIMS PRESENT	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	*	MINUS	**		\$18.00	\$ .00
INDEP. CLAIMS	*	MINUS	***		\$78.00	\$ .00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ .00

\* If the entry in column 2 is less than the entry in column 4, write "0" in column 5.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The following other fees are incurred by the accompanying papers.

☐ Transmitted herewith is Petition Pursuant to 37 CFR 1.48(b) for which the fee is due in the amount of☒ Please charge **Deposit Account No. 04-1529** in the name of **Dow AgroSciences LLC** in the amount of **\$890.00**. **Two copies of this sheet are enclosed.**☒ The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application or credit any overpayment to **Deposit Account No. 04-1529**.**Dow AgroSciences LLC****Patent Section**

9330 Zionsville Road

Indianapolis, Indiana 46268-1054

July 17, 2001

  
Ronald S. Maciak

Agent for applicant(s)

Registration No. 35,262

Phone No.: (317) 337-4829

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DateBy Marcia R. Jansen  
Marcia R. Jansen

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